

THE MALONEY FIRM, APC
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Attorneys for Plaintiff
SPECTRUM LABORATORIES, LLC

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

SPECTRUM LABORATORIES, LLC,)
an Ohio limited liability company,)
Plaintiff,)
vs.)
VLAZE MEDIA NETWORKS, INC.)
dba MINT DISTRIBUTION, a Nevada)
Corporation, and DOES 1 through 10,)
inclusive;)
Defendants.)

Case No.: 2:14-CV-00262

**SPECTRUM LABORATORIES,
LLC'S NOTICE OF APPLICATION
AND APPLICATION FOR
DEFAULT JUDGMENT BY
COURT AGAINST VLAZE MEDIA
NETWORKS, INC. DBA MINT
DISTRIBUTION**

Judge: Hon. R. Gary Klausner
Action Filed: January 11, 2014

**Date: June 16, 2014
Time: 9:00 a.m.**

TO DEFENDANT AND ITS ATTORNEY OF RECORD:

PLEASE TAKE NOTICE THAT on June 16, 2014, at 9:00 a.m., or as soon
thereafter as this matter may be heard by the above-entitled Court, located at 312
N. Spring Street, Los Angeles, CA 90012, Plaintiff Spectrum Laboratories, LLC
("Spectrum") will present its application for a default judgment against Defendant

1 Vlaze Media Networks, Inc. dba Mint Distribution ("Mint"). The Clerk
2 previously entered the default of Mint on February 14, 2014.

3 At the time and place of hearing, Spectrum will present proof of the
4 following matters:

5 1. Defendant Mint is not a minor or incompetent person or in military
6 service or otherwise exempted under the Soldiers' and Sailors' Civil Relief Act of
7 1940; and

8 2. Mint has not appeared in this action.

9 3. Notice of this application for default judgment by court was served on
10 Mint on May 12, 2014, by U.S. Mail, as required by Local Rule 6-1.

11 4. Spectrum is entitled to judgment against Mint based on the claims
12 pleaded in the Complaint, to wit:

13 a. Establishment of the facts pleaded against Mint as true;

14 b. A determination that Mint engaged in Unfair Competition and
15 Trademark Infringement in Violation of the Lanham Act (15
16 U.S.C. §§ 1114, 1125);

17 c. A determination that Mint engaged in Cyberpiracy in violation
18 of the Lanham Act (15 U.S.C. § 1125(d));

19 d. A determination that Mint violated California Business &
20 Professions Code § 17500, et seq.; and

21 e. A determination that Mint was unjustly enriched to the
22 detriment of Spectrum.

23 5. The amount of judgment sought is \$2,250,000, plus attorneys' fees
24 and costs, as set forth in the attached declarations of Patrick M. Maloney and
25 Matthew Stephens. Spectrum also requests the entry of an injunction against
26 Mint, as set forth in detail in the Memorandum of Points and Authorities filed
27 concurrently herewith.
28

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1 This Application is based on this Notice, the Memorandum of Points and
2 Authorities, the attached declarations of Patrick M. Maloney, Matthew Stephens,
3 Christopher Bazeley and Leticia Larios, and the pleadings files and other matters
4 that may be presented at the hearing.

5
6 Dated: May 12, 2014

THE MALONEY FIRM, APC

7
8 /s/ Patrick M. Maloney
9 By: PATRICK M. MALONEY
10 ASHLEY L. TATE
11 Attorneys for Plaintiff
12 SPECTRUM LABORATORIES, LLC.
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PROOF OF SERVICE

SPECTRUM LABORATORIES, LLC v. VLAZE MEDIA NETWORKS, INC. etc., et al.
 USDC Case No.: CV 14- 00262 (RGK) (VBKx) 1038.2

State of California)
 County of Los Angeles) ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is at The Maloney Firm, APC, 2381 Rosecrans Avenue, Suite 405, El Segundo, CA 90245.

On this date, I served the foregoing document(s) described as:
SPECTRUM LABORATORIES, LLC'S NOTICE OF APPLICATION AND APPLICATION FOR DEFAULT JUDGMENT BY COURT AGAINST VLAZE MEDIA NETWORKS, INC. DBA MINT DISTRIBUTION
 on all other parties and/or their attorney(s) of record to this action by placing a true copy thereof in a sealed envelope as follows:

SERVICE LIST

Omar Alfredo Zambrano
 Agent for Service of Process of
 VLAZE MEDIA NETWORKS, INC., dba
 MINT DISTRIBUTION, a Nevada Corporation
 12738 Ramona Boulevard
 Baldwin Park, California 91706

Omar Alfredo Zambrano
 Agent for Service of Process of
 VLAZE MEDIA NETWORKS, INC., dba
 MINT DISTRIBUTION, a Nevada Corporation
 2116 Bellevue Avenue
 Los Angeles, California 90026

[XX] BY MAIL. I am a resident of, or employed in, the county where the mailing occurs. I am over the age of 18 years and am not a party to the cause. I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Services. The correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. The address(es) shown above/attached list is (are) the same as shown on the envelope. The envelope was placed for deposit in the United States Postal Service at The Maloney Firm, APC's office in Los Angeles, California, on this date. The envelope was sealed and placed for collection and mailing with first-class prepaid postage on that date following ordinary business practices. Service made pursuant to California *Code of Civil Procedure* section 1013a(3), upon motion of a party served, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained in the affidavit.

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 EL SEGUNDO, CALIFORNIA 90245
 (310) 540-1505

☐ **BY FACSIMILE.** On this date, by facsimile transmission to the parties and/or to their attorney(s) of record stated above and/or attached list to their know business facsimile number(s). The document(s) was/were transmitted by facsimile transmission. The transmission was reported as complete and without error. A copy of the transmission report(s) properly issued by one or more of The Maloney Firm, APC's two facsimile machine(s) [telephone number: 213.683.1225 is (are) made a part of this proof of service pursuant to California *Rules of Court* section 2008.

☐ **BY E-MAIL.** On this date, by electronic transmission (e-mail) to the parties and/or to their attorney(s) of record stated above and/or attached list to their known e-mail address(es). The document(s) was/were transmitted by electronic transmission. The transmission was reported as complete and without error. A copy of the transmission report(s) properly issued by one or more of The Maloney Firm, APC's computers is (are) made a part of this proof of service pursuant to California *Rules of Court* section 2008.

☐ **BY OVERNIGHT DELIVERY.** On this date, I placed the Federal Express (or other overnight couriers) package for overnight delivery in a box or location regularly maintained by Federal Express (or other overnight couriers) at my office or I delivered the package to an authorized courier or driver authorized by Federal Express (or other overnight couriers) to receive documents and/or packages. The document(s) was/were placed in a sealed envelope or package designated by Federal Express (or other overnight couriers) with delivery fees paid or provided for, addressed to the person(s) on whom it is to be served at the address(es) shown above/attached list, at the office address(es) as last given by that person on any document filed in the cause and served on the party making service; otherwise at that party's place of residence.

☐ **BY PERSONAL SERVICE.** I personally delivered such envelope by hand to the interested party as listed on the attachment hereto.

☐ **State.** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ **Federal.** I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made, and I certify under penalty of perjury that the foregoing is true and correct.

Executed on May 13, 2014 at Los Angeles, California.

/S/ Leticia G. Larios

LETICIA G. LARIOS